

Senate Bill No. 338, have had the bill under consideration, and I am instructed to report the bill favorably with recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 470, have had the bill under consideration, and I am instructed to report the bill favorably with recommendation that it do pass and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred Senate Bill No. 323, have had the bill under consideration, and I am instructed to report the bill favorably with recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

#### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 35 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 202 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 229 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 185 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 90 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 154 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 19 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 231 carefully compared, and find same to be correctly engrossed.

FAUST, Chairman.

#### THIRTY-THIRD DAY.

Senate Chamber,  
Austin, Texas, Feb. 27, 1919.  
The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Buchanan of Scurry.
Bailey.	Carlock.
Bell.	Clark.

Cousins.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Floyd.	Westbrook.
Hall.	Williford.
Hertzberg.	Witt.
Hopkins.	Woods.
Johnston.	

Absent.

Caldwell.

Absent—Excused.

Buchanan of Bell. Gibson.

Prayer by Rev. George W. Davis  
of Galveston.

Pending the reading of the Journal  
of yesterday, the same was dispensed  
with on motion of Senator Alderdice.

#### Petitions and Memorials.

There were none today.

#### Standing Committee Reports.

See Appendix.

#### Special Committee Report.

Committee Room,  
Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the  
Senate;

Hon. R. E. Thomason, Speaker of the  
House of Representatives.

Sirs: We, your Joint Committee of  
the Senate and House, appointed under  
S. C. R. No. 23, to arrange a program  
for the patriotic services to be  
held in the Hall of the House of Rep-  
resentatives in Austin, Texas, on Sun-  
day, March 2, 1919, at 3:30 p. m.,  
beg leave to report the following

#### Program.

Orchestral selection, overture. Bleger  
Invocation. . . . . Rev. W. A. Hamlett  
Anthem, "Te Deum" in B minor

. . . . . D. Buck  
Poem, "Texas". . . . . Mary Hunt Affleck  
Trio, "Angel's Chorus". Scotson Clark  
Flute, Saxophone, Clarinet.

Address, "Life and Public Serv-  
ices of Gen. Sam Houston"

. . . . . Judge Norman G. Kittrell  
Poet Songs—

"Pale in the Amber West"

"Love's Own Sweet Song"

. . . . . Double Male Quartet

Address, "Personal Reminis-  
cences of the Early Days of  
the Republic of Texas" . . . . .

. . . . . Mrs. Rebecca J. Fisher

Patriotic Choruses—

"When the Flag Goes By"

"America."

The music for this occasion will be  
furnished by the teachers and pupils  
of the Texas School for the Blind.

The meeting will be presided over  
and the speakers introduced by the  
Hon. R. E. Thomason, Speaker of the  
House of Representatives of the State  
of Texas.

Respectfully submitted,

JOHNSTON,

BAILEY,

On the part of the Senate.

DAVIDSON,

MILLER of Dallas,

POOL,

On the part of the House.

On motion of Senator Bailey, the  
foregoing report was read and  
adopted.

#### Bills and Resolutions.

By Senator Carlock:

S. B. No. 349, A bill to be entitled  
"An Act to amend Subdivision 16 of  
Article 1121, Revised Civil Statutes  
of Texas of 1911, and to declare an  
emergency."

Read first time, and referred to  
Committee on Civil Jurisprudence.

By Senator Carlock:

S. B. No. 350, A bill to be entitled  
"An Act to conserve the oil and gas  
resources of the State of Texas; to  
define 'waste' in the production of  
said materials; to invest the Rail-  
road Commission of Texas with au-  
thority to make and enforce all need-  
ful rules and regulations with re-  
spect to the conservation of said re-  
sources; to employ the necessary  
supervisors to enforce such rules and  
regulations, and to prescribe their  
compensation, the same to be paid  
out of taxes collected from pipe  
line companies; prescribing offenses  
against said Act, and to provide for  
the punishment therefor; to provide  
that this Act shall be cumulative with  
all other laws upon this subject, and  
declaring an emergency."

Read first time, and referred to  
Committee on Internal Improve-  
ments.

By Senators Cousins, Hall, Witt:

S. B. No. 351, A bill to be entitled "An Act to amend Chapter 27 of the Acts of the Fourth Called Session, Thirty-fifth Legislature, being 'An Act to permit railroad corporations or receivers of railroads, by and with the permission of the Railroad Commission of Texas and County Commissioners' Court of the county wherein located, to change, re-locate or abandon any portion of its line without and adjacent to the limits of any incorporated city containing 50,000 inhabitants or more, according to the United States census, and to permit such railroad corporation or receivers to change, relocate or abandon any portion of its line within the limits of any incorporated city containing 50,000 inhabitants or more, by and with the permission of the Railroad Commission of Texas and the governing legislative authority of such city; and to require such railroad corporations or receivers to make such change, relocation or abandonment upon the order of such Railroad Commission, upon the application of such governing authority, and providing for the exercise of the right of eminent domain to acquire lands for the rights of way, depot grounds, shops, roundhouses, water supply sites, switches, sidings, spurs or any other lawful purposes connected with or necessary to the building, operating or running of its roads, -charging same with public use, and validating such changes, relocations or abandonments, when heretofore authorized by the Railroad Commission of Texas; and repealing all laws or parts of laws in conflict herewith, and declaring an emergency,' so as to make same applicable to incorporated cities containing 20,000 inhabitants or more, according to United States census, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Hertzberg:

S. B. No. 352, A bill to be entitled "An Act creating an executive committee of the Boards of Managers of the State Hospitals for the Insane, the Home for the Feeble Minded and of the Epileptic Colony, providing for the superintendents of said institutions and one member from each of the respective Boards of Managers

thereof to constitute the membership of said committee; providing for the compensation and payment of traveling expenses of the members of said committee; providing for the time and place of meetings of said committee; and providing for the power and duties of said committee; and declaring an emergency."

Read first time, and referred to Committee on State Institutions and Departments.

#### Senate Concurrent Resolution No. 28.

Whereas, Mrs. Rose F. Deming, the dean of Texas newspaper women, is the author of many patriotic Texas poems; therefore, be it

Resolved, That she be invited to participate in the exercises to be held in the House of Representatives on March the 2nd, and read her poem, "The Alamo."

STRICKLAND.  
BAILEY.  
JOHNSTON.

The resolution was read and adopted.

#### Simple Resolution No. 78.

Whereas, Major Gen. B. B. Buck, a distinguished soldier of the United States army, and who entered West Point Military Academy as a cadet from Texas in 1880, will be a guest at the Executive Mansion on Tuesday next, March 4; therefore, be it

Resolved, That General Buck and his staff be extended the courtesies of the Senate Chamber and that he be invited to address the Senate at 11 o'clock a. m. on March 4 on such military topic as he may see fit.

MCNEALUS.  
WITT,  
CALDWELL.

The resolution was read and adopted, and the Chair appointed the authors as a courtesy committee to meet General Buck and conduct him to the Senate Chamber.

#### House Joint Resolution No. 7.—Conference Committee Report.

Austin, Texas, Feb. 26, 1919.

To Hon. W. A. Johnson, President of the Senate, and

Hon. R. E. Thomason, Speaker of the House.

Sir: We, your Conference Com-

mittee appointed to adjust the difference between the two Houses on House Joint Resolution No. 7, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section, to be known as section 60, providing for the compensation of public officials. having met and after full conference have agreed as follows:

The Senate recedes from the following amendment: Amend H. J. R. No. 7 by adding at the end of line 32, page 1, the following: Provided that the Legislature may make such exceptions as they may deem advisable.

The House agrees to the Senate amendment changing the date in Section 2 of the bill from November, 1919, to first Tuesday after the first Monday in November, 1920.

All of which is respectfully submitted.

TILSON,  
DICKSON,  
MILLER of Dallas,  
BURNS,  
SEAGLER,

On the Part of the House.

CARLOCK,  
DAYTON,  
PAGE  
WOODS,  
McNEALUS,

On the Part of the Senate.

On motion of Senator Carlock the report was read and adopted.

#### Senate Bill No. 323—Recommitted.

By unanimous consent and on request of Senator Alderdice, Senate Bill No. 323 was recommitted to the Committee on Educational Affairs.

#### House Bill No. 157—Motion to Recommit.

Senator Dayton made the following written motion:

I move that House Bill No. 157 be recalled from the printer and recommitted to the Committee on Internal Improvements.

DAYTON.

The motion was read and adopted.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 26, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following bills:

H. B. No. 359, A bill to be entitled "An Act creating the McCollum Independent School District in Falls County, Texas; defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; vesting said district with the right, powers, privileges and duties of an independent school district in the manner now provided for by general law for independent school districts, and declaring an emergency."

H. B. No. 468, A bill to be entitled "An Act to repeal Senate Bill No. 55, Chapter 8, pages 304 and 305, of the General and Special Laws of the State of Texas, passed by the First Called Session of the Thirty-fifth Legislature of the State of Texas, and entitled 'An Act to create the Robstown Independent School District, known as Common School District No. 30, in Nueces County, Texas; to provide for the election of trustees, for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools, declaring valid a maintenance tax heretofore voted, and declaring an emergency, passed at the First Called Session of the Thirty-second Legislature, 1911, and approved August 31, 1911, by amending Section 3 thereof so as to provide for the assessment and collection of taxes by the assessor and collector of Nueces County, providing for fees for such assessment and collection, providing for the valuation of property in said district, prescribing duties of the county attorney of Nueces County, and declaring an emergency,' and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act to amend Sections 2, 5, 8, 10, 16 and 17, of the special road law for Baylor County, passed by the Regular Session of the Thirty-third Legislature, approved April 1, 1913, to provide for the compensation of county commissioners when acting as road commissioners, to limit the days per month each commissioner can receive pay as road commissioner, to provide for the compensation for hands and teams for road work in said county, to provide for the time of the reports of road overseers and for their compensation for the excess of days over five days they may

serve in any one year, to exempt any citizen from road duty for any year upon his payment to the county of three and 50-100 (\$3.50) dollars, and to provide that the county clerk attach to road overseers' commissions a list of names of those who have paid the \$3.50, and declaring an emergency."

H. B. No. 488, A bill to be entitled "An Act to amend Sections 1, 2, 16 and 21 of the Local and Special Laws passed at the Regular Session of the Thirty-fifth Legislature, same being Chapter 121 of said Act, increasing compensation of county commissioners and road hands, and amending Section 6 of the Local and Special Laws passed at the Regular Session of the Thirty-first Legislature, being Chapter 74 of said Act, defining the number of hours to constitute a day's work; repealing all laws in conflict with this Act, and declaring an emergency."

H. J. R. No. 13, Proposing to amend Section 49 of Article 3 of the Constitution of the State of Texas relating to the power to create debts by or on behalf of the State, so as hereafter to authorize the Legislature to enact a law directing the issuance of bonds by the Governor of the State in a sum not to exceed seventy-five million (\$75,000,000) dollars, the proceeds of said bonds to be used in the construction of durable, hard surfaced roads upon public highways of the State.

H. B. No. 498, A bill to be entitled "An Act creating the Tatum Independent School District in Rusk and Panola Counties, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; and the title of all property now held and used for public school purposes; investing powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; creating the trustees of said independent school district as a board of equalization thereof, and conferring upon them the powers, etc., given by the general laws, and declaring an emergency."

By Mr. Owen:

H. B. No. 519, A bill to be entitled "An Act to amend Sections 4 and 7 of Chapter 95 of Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-

third Legislature of the State of Texas relating to the issuance of road improvement bonds by Navarro County or any political subdivision thereof, and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act to amend Chapter 75 of the Special Laws of the Thirty-third Legislature, entitled 'An Act to create a more efficient road system for Hill County, Texas, making commissioners of said county ex officio road commissioners and prescribing their duties as such and providing for their compensation as such road commissioners, and defining their powers and duties as such road commissioners; providing for the working of county convicts on the public roads of said county; providing for officers' fees and awards and penalties of said convicts and awards for the capture of escaped convicts, and for the payment of costs and fees to said officers, and providing for the employment of the county road superintendent of such county, fixing the salary of said road superintendent and providing for eminent domain in opening, widening laying out and straightening and draining public highways in said county, and handling and securing material for the construction or maintenance of public highways in said county; amending Chapter 54 of the Acts of the Legislature of 1901, providing a special road law for Hill County, adopting certain provisions of Chapter 2, Title 18, of the General Laws of the State of Texas contained in the Revised Statutes thereof adopted in 1911; providing for the defining of districts in said Hill County, adopting Chapter 203, Acts of 1917, of the Thirty-fifth Legislature, and adopting Chapter 29, Acts of the Fourth Called Session of the Thirty-fifth Legislature, 1918, and providing for issuing bonds therein and for levying taxes therein, and for holding elections for said purpose, and for levying taxes for the payment of interest and sinking fund, and requiring persons failing to pay poll taxes to work eight days per annum on the public roads of Hill County, and repealing all laws and parts of laws in conflict herewith,' and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act creating the Rosedale Independent School District in Jefferson county, Texas, defining its boundaries; providing for a board of trustees

in said independent school district and prescribing their qualifications and terms of office, defining the rights powers and privileges of the board of trustees of said independent school district, conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon the independent school district and the board of trustees; providing for the creation of the board of trustees; providing for the raising of revenue, issuing of bonds, building and maintaining school houses, maintaining public free schools; declaring valid a maintenance tax heretofore voted; providing that said independent school district shall assume and pay certain bonded indebtedness now outstanding against a portion of the territory comprising said independent school district; repealing all laws or parts of laws conflicting herewith and providing that in case any clause or section of this Act is declared unconstitutional such act by the court shall not invalidate the remainder of the section and clauses of this Act, and declaring an emergency."

H. B. No. 510, A bill to be entitled "An Act to amend Sections 1, 2 and 9 of the Winnie Independent School District in the counties of Chambers and Jefferson in the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas and known as House Bill No. 86, Chapter 18, creating the Winnie Independent School District, and providing for the reformation of said district and defining its boundaries thereof, so as to hereafter read as follows, to-wit; and declaring an emergency."

House has adopted the Conference Committee report on H. J. R. No. 7.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House Bills:

H. J. R. No. 13, referred to the Committee on Constitutional Amendments.

H. B. No. 508, referred to the Committee on Educational Affairs.

H. B. No. 510, referred to the Committee on Educational Affairs.

H. B. No. 498, referred to the Committee on Educational Affairs.

H. B. No. 359, referred to the Committee on Educational Affairs.

H. B. No. 468, referred to the Committee on Educational Affairs.

H. B. No. 519, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 488, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 476, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 500, referred to the Committee on Roads, Bridges and Ferries.

#### House Bill No. 88.

The Chair laid before the Senate on third reading:

H. B. No. 88, A bill to be entitled "An Act to amend Article 2174, Chapter 23, Title 37, of the Revised Civil Statutes of Texas, relating to pleadings in suits against non-residents, transients and persons whose place of residence is unknown by providing that the pleadings in such cases shall contain the ordinary requisites of pleadings required by law in cases of personal service, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed finally.

#### House Bill No. 27.

The Chair laid before the Senate on third reading:

H. B. No. 27, A bill to be entitled "An Act to provide for the sale and transfer to the United States of all property owned by the State of Texas situated on the Gulf coast of Texas and on the Mexican border of Texas along the Rio Grande River and used in the State Quarantine Service, providing for a commission to negotiate the sale of said property to the proper authorities of the United States, providing that the expenses of said commission shall be paid out of the expense funds of their respective departments, authorizing the Governor to execute the deeds and convey the property to the United States, providing that the positions and employ-

ment of officers and employes in charge of and using such property so conveyed shall terminate, providing for the payment into the State Treasury to the general revenue of all money realized from the sale of such properties and filing of statements in the office of the Comptroller of Public Accounts, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed finally.

#### House Bill No. 425.

The Chair laid before the Senate on third reading:

H. B. No. 425, A bill to be entitled "An Act providing that all persons legally liable for road duty in Hardeman county be, and they are, hereby given the right and privilege to pay to the county treasurer of said county the sum of three dollars on or before the 1st day of February of each year in lieu of actual work on said roads and in the event that such parties shall pay said sum of money to the treasurer of said county, at a time herein stipulated, they shall be exempt from road duty for said year for which said sum of money is paid; provided that the money so collected from such persons shall be expended by the commissioners court of said county in the road precinct where the parties resided at the time of the payment of same, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed by the following vote:

#### Yeas—21.

Alderdice.	Hertzberg.
Bailey.	Johnston.
Bell.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Hall.	

#### Absent.

Buchanan of Scurry.	Hopkins.
Caldwell.	Strickland.
Clark.	Williford.
Floyd.	

Absent—Excused.

Buchanan of Bell. Gibson.

#### House Bill No. 391.

The Chair laid before the Senate on third reading:

H. B. No. 391, A bill to be entitled "An Act to create a more efficient road system for the county of Newton and State of Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

#### Yeas—22.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Bell.	Johnston.
Carlock.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Hall.	Woods.

#### Absent.

Buchanan of Scurry.	Floyd.
Caldwell.	Strickland.
Clark.	Witt.

Absent—Excused.

Buchanan of Bell. Gibson.

#### House Bill No. 349.

The Chair laid before the Senate on third reading:

H. B. No. 349, A bill to be entitled "An Act to create a special road law for Austin county, and providing for levying and collecting a road tax authorizing the commissioners court of said county to employ road superintendents and laborers on the public roads thereof, providing for penalties and the enforcement of this Act."

The bill was laid before the Senate, read third time and, on motion of Senator Dorough, was passed finally.

#### House Bill No. 436.

The Chair laid before the Senate on third reading:

H. B. No. 436, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all ablebodied citizens of Rusk county who are between the ages of twenty-one and sixty years; providing the manner of assessment and collection of said tax, and further providing for a penalty for failure or refusal to pay such tax, repealing all laws in conflict herewith, and declaring an emergency."

The bill was laid before the Senate read third time and, on motion of Senator Smith, was passed finally.

#### House Bill No. 387.

The Chair laid before the Senate on third reading:

H. B. No. 387, A bill to be entitled "An Act to create a more efficient road system for Grayson County, in the State of Texas; creating the office of superintendent of roads and bridges for said county, etc.; and declaring an emergency."

On motion of Senator Dayton, the bill was laid on the table subject to call.

#### House Bill No. 381.

The Chair laid before the Senate on third reading:

H. B. No. 381, A bill to be entitled "An Act to authorize and empower Titus County or any political subdivision or defined district of said county, by a vote of two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision or defined district thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or defined district, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, and for the maintenance of said roads during the life of said bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said work, and to repeal Chapter 3 of the Special Acts of the Thirty-first Legislature and Chapter 15 of the Special Acts of the Thirty-second Legislature and all other special road laws for

Titus County, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

#### House Bill No. 346.

The Chair laid before the Senate on third reading:

H. B. No. 346, A bill to be entitled "An Act to increase the civil jurisdiction of the County Court of Haskell County, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed by the following vote:

Yeas—21.

Alderdice.	Hopkins.
Bailey.	McNealus.
Bell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Hall.	Woods.
Hertzberg.	

Absent.

Buchanan of Scurry.	Floyd.
Caldwell.	Johnston.
Clark.	Strickland.
Dorough.	

Absent—Excused.

Buchanan of Bell. Gibson.

#### House Bill No. 497.

The Chair laid before the Senate on second reading:

H. B. No. 497, A bill to be entitled "An Act to amend Section 19 of the Special Road Law for Houston County, passed by the Regular Session of the Thirty-fifth Legislature, and approved March 8, 1917, so as to authorize the Commissioners' Court of said county to issue 'deficiency' warrants on the road and bridge fund of said county in certain cases and for certain purposes, and to authorize said court to issue time warrants and any other evidence of debt against said fund for the payment, extension



or liquidation of any debt now existing against such fund, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Strickland, was passed to its third reading.

#### House Bill No. 448.

The Chair laid before the Senate on second reading:

H. B. No. 448, A bill to be entitled "An Act providing that the Commissioners' Court of Grimes County, Texas, shall not issue, without submitting it to a vote of the voters of Grimes County, Texas, as required by law, more than five thousand dollars in bonds in any one year and then only in case of an emergency, and providing that said Commissioners' Court shall not issue nor sell anticipation warrants at all, and repealing all laws in conflict with this Act."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dean, was passed to its third reading.

#### House Bill No. 445.

The Chair laid before the Senate on second reading:

H. B. No. 445, A bill to be entitled "An Act to amend Section 1, House Bill No. 533, Chapter 47, of the Local and Special Laws passed at the Regular Session of the Thirtieth Legislature, entitled 'An Act creating the Eldorado Independent School District in Schleicher County, Texas, changing and defining its boundaries, and declaring an emergency.'"

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Dudley, was passed to its third reading.

#### House Bill No. 413.

The Chair laid before the Senate on second reading:

H. B. No. 413, A bill to be entitled "An Act creating an independent

school district to be known as the 'White Deer Independent School District;' and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and to pay current expenses for the maintenance and support of said school, and providing that the present board of trustees of the Common School District No. 7 of Carson county shall have full control and management of said independent school district until next regular trustees' election; and providing a method for filling vacancies occurring in said board; providing for a board of equalization and prescribing the duty and authority of said board of trustees, and repealing all laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Bell, was passed to its third reading.

#### House Bill No. 440.

The Chair laid before the Senate on second reading:

H. B. No. 440, A bill to be entitled "An Act creating the Petersburg Independent School District situated in Hale county, Texas, defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor; providing for a board of equalization and prescribing the duties and authority of said board and of said trustees; declaring valid an issue of bonds heretofore voted; declaring valid all debts owing to and by said district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

On motion of Senator Bell the bill was laid on the table subject to call.

#### House Bill No. 403.

The Chair laid before the Senate on second reading:

H. B. No. 403, A bill to be entitled "An Act creating the Ingleside Independent School District, situated in Young county; defining its metes and

bounds; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing for a board of trustees thereof, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Bell, was passed to its third reading.

#### House Bill No. 439.

The Chair laid before the Senate on second reading:

H. B. No. 439, A bill to be entitled "An Act creating the Lakeview Independent School District situated in Hale county, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor; providing for a board of equalization, and prescribing the duties and authority of said board and of said trustees; declaring valid a maintenance tax heretofore voted, declaring valid all debts owing to and by said district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and on motion of Senator Bell, passed to its third reading.

#### House Bill No. 470.

The Chair laid before the Senate on second reading:

H. B. No. 470, A bill to be entitled "An act changing the boundaries of Chireno Independent School District of Nacogdoches county, Texas, as created by an act of the Thirty-fifth Legislature at its Regular Session, published in the Local and Special Laws, Regular Session of the Thirty-fifth Legislature of Texas, page 217, and providing that certain territory which, before said act was passed, constituted Bethel Common School District, in Nacogdoches county, Texas, shall be transferred to and remain a part of and constitute Bethel Com-

mon School District, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Strickland, was passed to its third reading.

#### House Bill No. 420.

The Chair laid before the Senate on second reading:

H. B. No. 420, A bill to be entitled "An Act creating an independent school district to be known as 'Texhoma Independent School District,' and to provide for the creation of a board of trustees and authorizing the board of trustees to levy, assess and collect special taxes and to issue bonds for buildings, and to pay current expenses for the maintenance and support of said school and to have full control and management of said school district, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Bell, was passed to its third reading.

Morning call concluded.

#### Senate Bill No. 199.

The Chair laid before the Senate as pending business on special order and on second reading:

S. B. No. 199, A bill to be entitled "An Act to provide for the sale of oil and gas, coal and lignite, that may be in any of the surveyed or unsurveyed public free school land that is now unsold and which may now be sold, but which may hereafter revert to the public free school fund by forfeiture or other recovery; and the said substances that may be in the University and Asylum lands that are now unsold and that which may hereafter revert to the University or Asylum funds by forfeiture or other recovery; and the said substances that may be in any of the land belonging to said funds that has heretofore been sold with the minerals therein reserved to the fund to which the land belonged; and the said substances that may be in any

of said land that has been heretofore sold with a mineral classification and that which may hereafter be sold with a mineral classification and that which may hereafter be sold with the minerals reserved to the fund to which the land belongs; and the said substances that may be in any of said lands that may have been purchased with a relinquishment of the State's islands, salt water lakes, fresh water lakes, bays, inlets, marshes, reefs, river beds and river channels; providing that injunctions shall not delay development of minerals; repealing Chapter 83, Act March 16, 1917, but such repeal shall not affect existing rights, and declaring an emergency."

The question being upon the adoption of the amendment by Senator Strickland. (See page 565.)

The amendment was read and adopted.

Senator Dayton offered the following amendment, which was read and adopted:

(10) Amend Senate Bill No. 199, line 14, page 2, by adding after the word "lakes" the first time it is found in said line, the following: "submerged lands adjacent to the gulf shore."

Senator Hopkins offered the following amendment:

Amend Senate Bill No. 199, printed bill, as follows:

Page 1—In line 7 strike out the word "sale" and insert in lieu thereof the word "lease," and insert after the word "lignite" the word "estate."

Page 2—In line 15 strike out the words "subject to sale" and insert in lieu thereof the following: "such mineral estate shall be subject to lease."

Strike out all of Section 2.

In line 21 strike out the word "sale" in both places and insert in lieu thereof the word "lease."

Page 3—In line 12 strike out the word "unsold" and insert in lieu thereof "subject to lease," and strike out the word "sold" and insert in lieu thereof the word "leased."

In line 22 strike out the word "buy" and insert in lieu thereof the word "lease."

In line 23 strike out the period and insert in lieu thereof a semicolon and add the following: "Provided, however, that no person, firm, or corporation shall be permitted to hold either as lessee or assignee more than

10,240 acres that was acquired under the provisions of this chapter for the development for oil and gas, nor more than 10,240 acres for the development for coal and lignite."

In line 24 insert after the word "for" "a lease on."

In line 27 strike out the words "by minerals" and insert in lieu thereof the words "lease mineral lands."

In line 28 strike out "minerals are for sale" and insert in lieu thereof "mineral lands are for lease."

Page 4—Strike out all of line 3 after the period and all of line 4 and insert in lieu thereof the following:

"Each tract or survey of oil and gas, coal and lignite land shall be leased to the one offering the most."

Line 7, beginning after the word "rejected," strike out the remainder of the sentence and the next sentence down to and including all of line 11 and insert in lieu thereof the following:

"And no bid for a lower price shall be considered until after the expiration of two years."

Strike out Section 5 and insert in lieu thereof the following:

"Section 5. It shall be the duty of the Commissioner of the General Land Office to make a list of all the land in which the oil and gas, coal and lignite has been reserved, which is subject to lease under this Act in the manner he now makes lists of the free school lands belonging to the State, which are offered for sale as soon as he can after the passage of this Act and add thereto from time to time such tracts of land as may later become subject to lease under this Act, including all unsurveyed land as field notes may be obtained therefor, and have such lists printed and ready for distribution at least thirty days before the date bids for the lease of such land will be opened, giving the date upon which bids for the lease of such lands for oil and gas or for coal and lignite will be accepted; and on the 15th day of each January, April, July and October, at 10 o'clock a. m. hereafter, such bids shall be opened by the Commissioner of the General Land Office in his office in the presence of such persons as may desire to be present, and in case such date comes on a legal holiday such bids shall be opened on the next work day thereafter and a lease on any tracts of

land upon which there may be offered a bonus of not less than ten cents per acre for a lease upon such land for development for oil and gas or for coal and lignite, shall be awarded to the persons offering the highest price per acre for such lease, which amount so offered for such lease shall be enclosed with the application therefor, and in addition to such bonus said lessee shall pay to the Commissioner of the General Land Office, to be paid into the proper fund, twenty-five cents per acre per annum, until oil, gas, coal or lignite has been discovered in paying quantities, and a royalty of one-eighth on the gross production of oil, in wells producing 200 barrels per day or less, and a royalty of one-sixth of the gross production of oil and gas in wells producing more than 200 barrels of oil per day, and one-eighth of the gross production of gas, and ten cents per ton on the gross production of coal and five cents per ton on the gross production of lignite or the value of same, that may be produced and saved. It shall be the duty of the lessee of any oil and gas, coal and lignite estate under the provisions of this Act to begin development within one year after the acquisition of such lease and to pursue such development with diligence, and in case he fails to start development as herein required or fails to prosecute such development with ordinary diligence, he shall forfeit his right under the lease so acquired and such oil and gas, coal and lignite estate shall revert to the fund to which it belongs and shall again be subject to lease and shall be advertised in the manner other oil and gas, coal and lignite estates are advertised under this Chapter. So much oil and gas, coal and lignite as may be necessary for fuel for the development of wells on the survey or tract in which it has been found may be used without accounting therefor. Gas shall be metered at high pressure unless some other arrangement shall have been agreed to in writing by the Commissioner and the lessee."

If in the judgment of the Commissioner of the General Land Office land in any section of the State could and should be leased for a higher royalty than that herein provided, he shall have the right to fix a reasonable royalty upon which such land may be leased above that herein provided, and all bids for and leases

upon such land shall be based upon the royalty so fixed by the Commissioner of the General Land Office, which fact shall be stated in the advertisement of such land on the lists herein provided.

Page 5—In line 30, strike out the words "in Austin."

Page 6—In line 8, insert after "lignite" the word "leases."

Page 7—Strike out the word "purchased" at the end of line 2 and the beginning of line 3 and insert in lieu thereof "leases acquired."

In line 10, strike out "substances" and insert in lieu thereof "leasehold estate."

In line 12, strike out "purchaser" and insert in lieu thereof "lessee."

In line 15, strike out "sale" and insert in lieu thereof "lease."

In line 17, strike out "for" and insert in lieu thereof "to lease."

In line 18, insert after "lignite" the word "land."

In line 20, strike out "purchaser" as it appears at the end of line 20 and the beginning of line 21 and insert in lieu thereof "lessee."

Add after line 22 the following, "subject to the royalties herein reserved and."

In line 23, strike out the word "only."

Page 8—In line 4, strike out "the" and insert in lieu thereof "if any land should be leased for," and strike out "should be purchased."

In line 6, insert after "gas" the word "estate."

In line 10, strike out "sale" and insert "lease."

Strike out "should" and insert "if any land should be leased for."

In line 11, strike out "be purchased."

In line 12, insert after "lignite" the word "estate."

In line 17, strike out "sale" and insert "lease" and after "gas" "estate."

Insert at the end of line 17, "a lease for."

In line 18, insert after "acquire" the following, "a lease for."

In line 27, strike out "the" and insert "a lease for."

In line 28, strike out "purchased" and insert "acquired."

In line 29, strike out "so purchased" and insert "lease so acquired."

Page 9—In line 2, strike out "acquired" and insert "leased."

In line 3, strike out "acquired from" and insert "owned by."

In line 8, strike out "acquired" and insert "leased."

In line 18, insert after "lignite" the word "estate."

In line 24, insert after "lignite" the word "estate."

In line 25, strike out "purchased" and insert "leased."

In line 26, strike out "sale" and insert "lease."

In line 27, insert after "lignite" the word "estate."

Page 10—In line 8, insert after "lignite" the word "estate."

In line 15, strike out "sale" and insert "lease."

Page 11—Line 27, strike out "purchase the" and insert in lieu thereof "lease such land for the."

In line 32, strike out "purchased" and insert "estate acquired."

Page 12—In line 12, strike out "purchase" and insert "lease such land for."

Insert after Section 20 a new section to be known as Section 21, and renumber the succeeding sections accordingly:

Section 21. In case any person should discover any land subject to lease not listed by the Commissioner of the General Land Office, he may apply to the Commissioner of the General Land Office to have such land placed upon such list, and if such land has not been surveyed he may deposit a reasonable fee for the surveying thereof and the Commissioner of the General Land Office shall cause such land to be surveyed, and such land shall then be advertised in the manner herein required, and shall be subject to lease as other land on said list, except the person making such discovery shall have the preference of leasing such land at the highest price bid therefor, and he shall have five days after such bids are opened in which to exercise such preference.

HOPKINS.

Senator Buchanan of Scurry moved to table the amendment, and this motion prevailed by the following vote:

Yeas—12.

Bell.	Dudley.
Buchanan of Scurry.	Faust.
Carlock.	Hertzberg.
Clark.	Johnston.
Dayton.	Parr.
Dean.	Woods.

Nays—8.

Alderdice.	Page.
Cousins.	Suiter.
Floyd.	Williford.
Hopkins.	Witt.

Present—Not Voting.

Hall.

Absent.

Caldwell.	Strickland.
Dorough.	Westbrook.
Smith.	

Absent—Excused.

Buchanan of Bell. Gibson.

Pair Recorded.

Senator McNealus (present), who would vote "nay"; Senator Bailey (absent), who would vote "yea."

Senator Witt offered the following amendment, which was read:

(11) Amend Senate Bill No. 199 by adding after the word "fee," line 30, page 7, the following: "Provided that if development is not begun within a period of two years after date by any lessee or his assigns, and such development prosecuted to completion within three years, such sale shall revert to the State and the minerals subject to resale as herein provided."

Senator Hopkins offered the following, which was read and adopted:

Amend the amendment to Senate Bill No. 199 by striking out the word "sale" in line 15 of the amendment and insert in lieu thereof the following, "mineral estate."

The amendment as amended was then adopted.

Senator Hopkins offered the following amendment, which was read and adopted:

(12) Amend Senate Bill No. 199 by adding after Amendment 11 the following: "Provided that the requirement for development herein provided shall apply to each tract held by the lessee separately and the development on one tract shall not prevent forfeiture on any other tract."

Senator Hopkins offered the following:

Strike out Section 2 as amended and insert a new Section 2, as follows:

"Section 2. The Commissioner of the General Land Office shall adver-

tise all surveys or tracts in which the oil and gas, coal and lignite may be subject to lease under the provisions of this chapter, or that may hereafter be subject to lease for at least thirty days, next preceding the date at which bids for the lease to such land will be opened; before any one may acquire any rights therein; by making a list of all such lands in the manner which the free school lands are now advertised for sale, which lists shall be for free distribution and shall give a brief designation of the surveys or tracts and unsurveyed tracts, the terms upon which the same may be leased for development for oil and natural gas, coal and lignite; and when applications for lease thereof will be opened."

On motion of Senator McNealus the amendment was tabled.

The bill was read second time and failed to pass to engrossment by the following vote:

Yeas—8.

Alderdice.	Page.
Buchanan of Scurry.	Smith.
Dayton.	Suiter.
Hopkins.	Woods.

Nays—10.

Bell.	Floyd.
Clark.	Hall.
Cousins.	Parr.
Dudley.	Strickland.
Faust.	Williford.

Absent.

Caldwell.	Johnston.
Dorough.	Westbrook.
Hertzberg.	Witt.

Absent—Excused.

Buchanan of Bell. Gibson.

Pairs Recorded.

Senator Carlock (present), who would vote "nay"; Senator Dean (absent), who would vote "aye."

Senator McNealus (present), who would vote "yea"; Senator Bailey (absent), who would vote "nay."

(Lieutenant Governor Johnson in the chair)

Senate Bill No. 344.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 344 A bill to be entitled "An Act creating the Annona Independent School District in Red River county, Texas; repealing Chapter 30 of the Acts of the First Called Session of the Thirty-fifth Legislature; defining the boundaries of said Annona Independent School District as created hereby; etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 344 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Suiter.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Bailey.	Strickland.
Caldwell.	Westbrook.

Absent—Excused.

Buchanan of Bell. Gibson.

The bill was laid before the Senate, real third time and, on motion of Senator Floyd was passed by the following vote:

Yeas—25.

Alderdice.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

**Absent.**

Bailey. Strickland.  
Caldwell.

**Absent—Excused.**

Buchanan of Bell. Gibson.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the  
Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has concurred in Senate Amendments  
to H. B. No. 27.

Respectfully submitted,  
T. B. Reese,  
Chief Clerk, House of Representatives.

**Senate Bill No. 316.**

By unanimous consent and on re-  
quest of Senator McNealus, Senate  
Bill No. 316 was set as a special  
order for next Thursday at the con-  
clusion of the morning call.

**House Bill No. 99.**

Senator Caldwell called up and the  
Chair laid before the Senate on sec-  
ond reading:

H. B. No. 99, A bill to be entitled  
"An Act to amend Section 8 of Chap-  
ter 79, of the General Laws of the  
State of Texas, passed by the Fourth  
Called Session of the Thirty-fifth Leg-  
islature of the State of Texas in 1918,  
relating to the compensation of of-  
ficial shorthand reporters in Dallas  
county, Harris county, Bexar county  
and Travis county, and declaring an  
emergency."

The question being upon the pend-  
ing amendment by Senator Caldwell.  
(See page 557.)

Senator Dorough offered the fol-  
lowing amendments which were read  
and adopted:

(1) Amend the pending amend-  
ment by inserting after the word  
"Jefferson" the words "Galveston,  
Wichita, Bowie."

(2) Amend the pending amend-  
ment to House Bill No. 99 by striking  
out the figures, "\$1500" and insert  
in lieu thereof the figures "\$1800.00."

Senator Dayton offered the follow-  
ing which was read and adopted:

(3) Amend the amendment to  
House Bill No. 99, by adding after  
the word "Harris," word "Grayson,"  
line 2, Section 8.

The amendment as amended was  
then adopted.

The following amendment by Sen-  
ator Caldwell was then adopted:

(2) Amend H. B. No. 99 by strik-  
ing out after the word "compensa-  
tion" in line 22 of the caption of the  
bill and insert in lieu thereof the  
following, "in certain counties and  
districts in this State, and declaring  
an emergency."

The bill was read second time and  
passed to its third reading.

On motion of Senator Caldwell, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and Senate Bill No. 99 put  
on its third reading and final passage  
by the following vote:

**Yeas—24.**

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Williford.
Dudley.	Woods.

**Nays—1.**

Suiter.	Absent.
Johnston.	Witt.
Westbrook.	

**Absent—Excused.**

Buchanan of Bell. Gibson.

The bill was laid before the Sen-  
ate, read third time and, on motion  
of Senator Caldwell, was passed by  
the following vote:

**Yeas—15.**

Alderdice.	Floyd.
Bell.	Hall.
Caldwell.	Hertzberg.
Carlock.	McNealus.
Cousins.	Parr.
Dayton.	Smith.
Dorough.	Witt.
Dudley.	

## Nays—10.

Bailey.	Hopkins.
Buchanan of Scurry.	Page.
Clark.	Strickland.
Dean.	Suiter.
Faust.	Williford.

## Absent.

Johnston.	Woods.
Westbrook.	

## Absent—Excused.

Buchanan of Bell.	Gibson.
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## Recess.

At 12:20 o'clock p. m., the Senate on motion of Senator Clark, recessed until 2 o'clock today.

## After Recess.

## (Afternoon Session)

The Senate was called to order by Lieutenant Governor Johnson.

## Senate Bill No. 32.—House Amendments Concurred In.

Senator Dean called up for consideration of House amendment to:

S. B. No. 32, A bill to be entitled "An Act increasing the salaries of the judges of the Supreme Court and of the Court of Criminal Appeals, and judges of the Courts of Civil Appeals and district courts in this State, and declaring an emergency."

The following House amendments were laid before the Senate and read:

Amend Senate bill No. 32, Section 1, line 28, by striking out "seventy-five" and inserting in lieu thereof "sixty-five."

Amend Senate bill No. 32, Section 1, line 31, by striking out the word "six" and inserting in lieu thereof the word "five."

On motion of Senator Dean the amendments were concurred in.

## Senate Bill No. 211.

The Chair laid before the Senate as special order on second reading:

S. B. No. 211, A bill to be entitled "An Act to make uniform the law of

negotiable instruments in the State of Texas, repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Senator Page offered the following amendment which was read and adopted:

Amend S. B. No. 211, line 29, page 35, by striking out the words "1 copy missing," and insert in lieu thereof the words "Secondarily liable."

The bill was read second time and passed to engrossment.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 211 put on its third reading and final passage by the following vote:

## Yeas—24.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

## Absent.

Caldwell.	Johnston.
Hall.	Strickland.

## Absent—Excused.

Buchanan of Bell.	Gibson.
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The bill was laid before the Senate, read third time and, on motion of Senator Page, was passed finally.

## Simple Resolution No. 79.

Whereas the Hon. S. L. Staples of Bastrop county, a former member of this body is present in the city.

Therefore, be it resolved, that he be extended the privilege of the Floor and that he be invited to address the Senate.

PAGE.  
DEAN.

The resolution was read and adopted, and Ex-Senator Staples being presented to the Senate, made a brief address.



**Senate Bill No. 310.—Motion to Re-commit.**

Senator Carlock moved that Senate Bill No. 310 be recalled from the printer and that same be recommitted to the Committee on Labor.

The motion prevailed by the following vote:

Yeas—13.

Bailey.	Faust.
Bell.	Floyd.
Buchanan of Scurry.	Hall.
Carlock.	Hertzberg.
Dean.	Hopkins.
Dorough.	Parr.
Dudley.	

Nays—12.

Alderdice.	Page.
Clark.	Smith.
Cousins.	Strickland.
Dayton.	Westbrook.
Johnston.	Williford.
McNealus.	Woods.

Absent.

Caldwell.	Witt.
Sukter.	

Absent—Excused.

Buchanan of Bell. Gibson.

**House Bill No. 381.—Recalled from the House.**

Senator Floyd made the following written motion:

I move that the House return to the Senate, House Bill No. 381 for further consideration.

FLOYD.

The motion was read and adopted.

**Simple Resolution No. 80.**

Whereas, Hon. C. M. Chambers a distinguished former member of this Senate is present in the Senate Chamber.

Be it Resolved, that he be invited to address the Senate and extended the courtesies of the floor.

CALDWELL.  
HERTZBERG.  
FLOYD.

The resolution was read and adopted and Ex-Senator Chambers was pre-

sented to the Senate and made a brief address.

**Senate Bill No. 244.**

The Chair laid before the Senate on second reading:

S. B. No. 244, A bill to be entitled "An Act amending Article 3003, Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 30, Acts of the Fourth Called Session of the Thirty-fifth Legislature, so as to prohibit the giving of any assistance to a voter in preparing his ballot except when such voter is unable to prepare the same himself because of some bodily infirmity which renders him physically unable to write, or is over 60 years of age, and providing that ballots prepared in violation of this Article shall be void; and declaring an emergency."

Senator Dean offered the following amendments which were read and adopted:

(1) Amend the bill by striking out all of Section 1 after the word "direct," line 2, page 2, and substitute therefor the following:

"Provided that the voter must in every case explain in the English language how he wishes to vote, and no judge of the Election shall use any other than the English language in aiding the voter, or in performing any of his duties as such judge of the election, and in all cases where assistance is given hereunder, two judges of the election shall assist such voter, they having been first sworn that they will not suggest by word, sign, or gesture, how such voter shall vote; that they will confine their assistance to answering his questions in the English language, to naming candidates, and, if the voting be at a general election, to naming the parties to which such candidates belong, and that they will prepare the ballot as such voter directs, in the English language; and where any assistance is rendered in preparing a ballot other than as herein allowed, the ballot shall not be counted, but shall be void for all purposes. If the election be a general election, the judges who assist such voter shall be of different political parties, if there be such judges present, and if the election be a primary election, a supervisor, or supervisors, may be present, when the assistance herein permitted is being given, but such

supervisor or supervisors must remain silent except in cases of irregularity or violation of the law.

(2) Amend the bill by re-numbering Section 2 as contained in the bill, making it Section 3, and by adding after Section 1 a new Section 2, as follows:

"Section 2. Article 258. Any judge or other officer at an election who assists any voter to prepare his or her ballot, except when a voter is unable to prepare the same on account of blindness or some other bodily infirmity such as renders him unable to write, or is over sixty years of age, or who shall aid such voter by using other than the English language, or shall violate any of the provisions of Article 3003 as amended by this Act, shall be deemed guilty of a misdemeanor; and any judge or other officer of an election who, in assisting a voter so incapacitated or is over sixty years of age, in the preparation of his or her ballot, shall prepare the same otherwise than such voter shall direct in the English language, shall be deemed guilty of a misdemeanor. Any person convicted under this Article shall be punished by a fine of not less than \$200 and not more than \$500, or by confinement in the county jail of not less than two months and not more than twelve months, or both by such fine and imprisonment.

(3) Amend the bill by striking out all after the word "void," in line 15, page 1, of the caption, and inserting the following:

"And amending Article 258, Chapter 2, Title 6, Revised Penal Code of 1911, so as to provide a penalty for the violation of said Article 3003, as the same is hereby amended, and amending the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, Chapter 30, by making it mandatory for both parties to use the English language when assistance is given to a voter: and declaring an emergency."

Senator Witt offered the following amendment:

(4) Amend Section 2 by adding at the end thereof the following:

"And in addition to the venue in the counties where violations of this Act are committed, the district and county courts of Travis County, Texas, are hereby invested with the venue of all cases of violation of this Act; and to that end, indict-

ments may be presented by the grand juries of Travis County and information by the county attorney of said county covering all violations of this Act."

Senator McNealus raised the point of order that the amendment is the same in substance as a provision of a bill heretofore considered and defeated at this session of the Legislature.

The point of order was overruled.

Action recurred upon the amendment by Senator Witt, and the same was withdrawn.

Senator Suiter offered the following:

Amend S. B. No. 244 as amended by striking out the words "over 60 years of age" and insert in lieu thereof "over 21 years of age."

On motion of Senator Dean, the amendment was tabled.

Senator Clark offered the following:

Amend S. B. No. 244 by striking out the enacting clause.

On motion of Senator McNealus, the amendment was tabled.

The bill was read second time, and passed to engrossment.

On motion of Senator Dean the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 244 put on its third reading and final passage by the following vote:

#### Yeas—26.

Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

#### Absent.

Alderdice.	Johnston
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#### Absent—Excused.

Buchanan of Bell.	Gibson.
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The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

## Yeas—24.

Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

## Absent.

Johnston.	Parr.
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## Absent—Excused.

Buchanan of Bell.	Gibson.
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## (Pair Recorded.)

Senator Clark (present), who would vote no; Senator Alderdice (absent), who would vote aye.

## Senate Bill No. 64.

The Chair laid before the Senate on second reading:

S. B. No. 64, A bill to be entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor, and fixing penalties for violating this Act, and declaring an emergency."

The committee report recommending a substitute bill was adopted.

Senator Bailey offered the following amendment, which was read and adopted:

Amend committee substitute to S. B. No. 64 by inserting after the word "farm" and before the word "labor" in line 27, page 27, of the printed bill, the words "or ranch."

Senator Dayton offered the following:

Amend committee substitute to S. B. No. 64, page 10, line 32, by striking out the words "Superintendent of Public Instruction" and insert in lieu thereof the words "Attorney General."

Senator Cousins moved to table the amendment, and this motion was lost by the following vote:

## Yeas—13.

Alderdice.	McNealus.
Cousins.	Parr.
Dorough.	Smith.
Dudley.	Strickland.
Floyd.	Williford.
Hertzberg.	Woods.
Hopkins.	

## Nays—13.

Bailey.	Faust.
Bell.	Hall.
Buchanan of Scurry.	Johnston.
Caldwell.	Page.
Carlock.	Westbrook.
Clark.	Witt.
Dayton.	

## Absent.

Dean.	Suiter.
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## Absent—Excused.

Buchanan of Bell.	Gibson.
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Senator Hopkins offered the following substitute for the pending amendment:

Amend committee substitute to S. B. No. 64, page 10, by adding after the word "the" before the word "Bureau" in line 30, the following, "Woman's Divisions in the."

Senator Caldwell raised the point of order that the substitute is not a proper one in that it seeks to affect a different member of the Commission to the one affected by the original amendment and has an entirely different purpose.

The Chair overruled the point of order.

The substitute was lost by the following vote:

## Yeas—11.

Alderdice.	Hopkins.
Bailey.	McNealus.
Buchanan of Scurry.	Smith.
Cousins.	Suiter.
Dorough.	Williford.
Floyd.	

## Nays—15.

Bell.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Dayton.	Strickland.
Dudley.	Westbrook.
Faust.	Witt.
Hall.	Woods.
Hertzberg.	

## Present—Not Voting.

Dean.

## Absent.

Clark.

## Absent—Excused.

Buchanan of Bell. Gibson.

The amendment by Senator Dayton was adopted by the following vote:

## Yeas—17.

Alderdice.	Faust.
Bailey.	Hall.
Bell.	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Suiter.
Dayton.	Westbrook.
Dean.	Witt.
Dorough.	

## Nays—10.

Buchanan of Scurry.	McNealus.
Dudley.	Smith.
Floyd.	Strickland.
Hertzberg.	Williford.
Hopkins.	Woods.

## Present—Not Voting.

Cousins.

## Absent—Excused.

Buchanan of Bell. Gibson.

Senator Carlock offered the following, which was read and adopted:

(3) Amend committee substitute to S. B. No. 64, page 11, line 1, after the word "quorum" by adding the following, "the concurrence of two members shall be necessary to determine any question that may arise for decision."

Senator Carlock offered the following:

(4) Amend committee substitute to S. B. No. 64, page 17, Section 18, at the end of line 29, by changing the period to a semi-colon and adding the following, "provided further, that this Act shall not apply to any person, firm or corporation or industry that does not employ over five women or five minors in their business or industry."

On motion of Senator Floyd, the amendment was tabled.

Senator Dayton offered the follow-

ing amendments, which were read and adopted:

(4) Amend committee substitute to S. B. No. 64 by inserting on page 11 of the printed bill on line 19 after the word "require" the words "pertaining to working conditions and wages paid women and minors"; and also add at the end of Section 8, page 14, line 24, the words "pertaining to the wages and working conditions of women and minors."

(5) Amend committee substitute to S. B. No. 64, page 11, by striking out all of paragraph 2 of Section 3 after the word "Act," line 28, and insert in lieu thereof the following, "relating to the working conditions and wages of women and minors."

(6) Amend committee substitute to S. B. No. 64, page 12, line 4, by striking out the word "eighteen" and inserting in lieu thereof the word "fifteen."

Senator Hopkins offered the following:

Amend committee substitute to S. B. No. 64, page 10, line 30, insert after the word "of" the following "the Women's Division in."

Senator Hertzberg moved to table the amendment, and this motion prevailed by the following vote:

## Yeas—20.

Bailey.	Hertzberg.
Bell.	Johnston.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Clark.	Strickland.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Hall.	Woods.

## Nays—7.

Alderdice.	Hopkins.
Caldwell.	McNealus.
Cousins.	Smith.
Floyd.	

## Absent.

Dean.

## Absent—Excused.

Buchanan of Bell. Gibson.

Senator Dayton offered the following amendment, which was read and adopted:

(7) Amend committee substitute to

S. B. No. 64, page 13 of the printed bill, by inserting in line 14 after the word "held" the words "and to the individual, firm or corporation to be investigated"; and also line 28, page 13, after the word "charge" insert "and copies shall be mailed to each employer in the occupation in question."

Senator Suiter offered the following amendment, which was read and adopted:

(8) Amend committee substitute to S. B. No. 64, page 17, line 28, by inserting after the word "colleges" and before the word "and" the following, "during their session or in vacation."

Senator Caldwell offered the following amendments, which were read and adopted:

(9) Amend committee substitute to S. B. No. 64, page 16, by striking out all of Section 13 and inserting in lieu thereof the following:

"Section 13. Any person or persons for whom the Commission may have established a living wage may register a complaint with the Commission that the wages paid to him or them are less than that rate, and the Commission shall thereupon investigate the matter and take all proceedings necessary to enforce the payment of such established wage."

(10) Amend committee substitute for Senate Bill No. 64, by adding at the end of line 4, page 14, after the word "labor," the words "and women and minors."

(11) Amend committee substitute to S. B. No. 64 by striking out lines 1, 2, 3 and 4, page 13 of the printed bill and by striking out on page 13 of the printed bill lines 20, 21 and 22, the words "the maximum hours, provided that the hours specified shall not be more than the maximum for women and minors fixed by the law in Texas," and, also amend Section 6, page 14 of the printed bill, line 4, by striking out the words "or hours."

Senator Witt offered the following amendment which was read and adopted:

(12) Amend committee substitute to S. B. No. 64, and page 14 thereof as follows: Strike out the words in lines 13 and 14 as follows: "a woman physically defective by age or otherwise," and substitute the words "any person subject to this Act."

Strike out the word "woman" in line 15 and substitute the word "person."

The bill was read second time and passed to engrossment.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 64 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Caldwell.	Johnston.
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Absent—Excused.

Buchanan of Bell.	Gibson.
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The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

Yeas—21.

Alderdice.	Hopkins.
Bell.	Page.
Buchanan of Scurry.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hertzberg.	

Nays—1.

Bailey.
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Present—Not Voting.

Hall.	McNealus.
Johnston.	

Absent.

Caldwell.	Clark.
Carlock.	

**Absent—Excused.**

Buchanan of Bell. Gibson.

**Reasons.**

The bill, in its present shape, as I view it, is a joke. I desire to be marked present and not voting.

McNEALUS.

**Bills Signed.**

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 349, A bill to be entitled "An Act to create a special road law for Austin county, and providing for levying and collecting a road tax authorizing the commissioners court of said county to employ road superintendents and laborers on the public roads thereof, providing for penalties and the enforcement of this Act."

H. B. No. 436, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all ablebodied citizens of Rusk county who are between the ages of twenty-one and sixty years; providing the manner of assessment and collection of said tax, and further providing for a penalty for failure or refusal to pay such tax, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 346, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Haskell county, and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act to create a more efficient road system for the county of Newton and State of Texas, and making the county commissioners of said county ex-officio road superintendents and prescribing their duties as such, and providing for their compensation as such commissioners, and providing for the working of county convicts upon the public roads of said county, and providing for the amount of compensation in road time to be allowed by overseers to road hands for teams and road work; and providing for the condemnation of land for public road purposes; and

providing further, making this law cumulative of the general laws, and in case of conflict this law is to govern as to Newton county, Texas; and fixing the penalty for the violation of this Act, and repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 425, A bill to be entitled "An Act providing that all persons legally liable for road duty in Hardeman county be, and they are, hereby given the right and privilege to pay to the county treasurer of said county the sum of three dollars on or before the 1st day of February of each year in lieu of actual work on said roads and in the event that such parties shall pay said sum of money to the treasurer of said county, at a time herein stipulated, they shall be exempted from road duty for said year for which said sum of money is paid; provided that the money so collected from such persons shall be expended by the commissioners court of said county in the road precinct where the parties resided at the time of the payment of same, and declaring an emergency."

H. B. No. 27, A bill to be entitled "An Act to provide for the sale and transfer to the United States of all property owned by the State of Texas situated on the Gulf coast of Texas and on the Mexican border of Texas along the Rio Grande River and used in the State Quarantine Service, providing for a commission to negotiate the sale of said property to the proper authorities of the United States, providing that the expenses of said commission shall be paid out of the expense funds of their respective departments, authorizing the Governor to execute the deeds and convey the property to the United States, providing that the positions and employment of officers and employes in charge of and using such property so conveyed shall terminate, providing for the payment into the State Treasury to the general revenue of all money realized from the sale properties and filing of statements in the office of the Comptroller of Public Accounts, and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act increasing the salaries of judges of the Supreme Court, of the Commission of Appeals and of the Court of Criminal Appeals, and judges of the Courts of Civil Appeals

and District Courts of this State, and declaring an emergency."

S. B. No. 99, A bill to be entitled "An Act to amend Article 317, Title 12, of Revised Civil Statutes of Texas, 1911, and repealing Articles 309, 310, 311, 312, 313, 314, 315, 316, 318, 319, 320 and 321, of Title 12, of the Revised Civil Statutes of the State of Texas, and making provisions regulating the licensing of Attorneys at Law in the State of Texas, prescribing their qualifications, and declaring an emergency."

S. C. R. No. 27, Relating to the U. S. Employment Service.

#### Senate Bill No. 319.

The Chair laid before the Senate on second reading:

S. B. No. 319, A bill to be entitled "An Act to amend Title 69 of the Revised Civil Statutes of this State, by inserting therein, immediately following Article 4643, a new Article, to be known as Article 4643a, providing in substance that no injunction or temporary restraining order shall be issued by any judge of this State prohibiting any sub-surface drilling or mining operations on the application of any adjacent land owner claiming injury to his surface or improvements, or loss of, or injury to, the minerals thereunder, unless the person, corporation or partnership, against whom such drilling or mining operations is alleged as a wrongful act, is shown to be unable to respond in damages; provided, however, that the person, corporation of partnership against whom such injunction is sought shall enter into a bond, with one or more sufficient sureties, in such sum as the judge may fix, securing the complainant in payment of any injuries that may be sustained; providing, also, that the court when he deems it necessary to protect any or all interests involved in such litigation in view of such bond may appoint a trustee with such powers as the court may prescribe or may appoint a receiver under the statute to take charge of and hold the minerals produced or the proceeds thereof, subject to the final disposition of such litigation; and declaring an emergency."

Senator Hall offered the following amendments which were read and adopted:

(1) Amend S. B. No. 319, page 1, line 25, of the caption by adding after the word "produced" the following: "from the lands of the complainant."

(2) Amend S. B. No. 319, page 2, by adding after the word "produced" on line 18, the following: "from the lands of complainant."

The bill was read second time and passed to engrossment.

On motion of Senator Hall the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 319 put on its third reading and final passage by the following vote:

Yeas—20.

Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Clark.	Page.
Cousins.	Parr.
Dayton.	Strickland.
Dorough.	Westbrook.
Dudley.	Williford.
Floyd.	Woods.

Present—Not Voting.

Alderdice.	McNealus.
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Absent.

Caldwell.	Smith.
Dean.	Suiter.
Faust.	Witt.

Absent—Excused.

Buchanan of Bell. Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Hall, was passed finally.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 27, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 35, proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas, to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas since January 1, 1912, providing that all

soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of six cents on the \$100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose, fixing a time for the election to be held on such amendment and making an appropriation to pay the expenses thereof."

The House grants the request of the Senate for the return of H. B. No. 381, and said bill is returned herewith.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives

#### Resolution Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after its caption had been read, the following:

H. J. R. No. 35, referred to the Committee on Constitutional Amendments.

#### House Bill No. 381.

By unanimous consent Senator Floyd moved to reconsider the vote by which H. B. No. 381, a bill creating a special road law for Titus County, was passed finally.

The motion prevailed by unanimous vote.

The Chair laid the bill before the Senate on third reading, and the same being read third time was passed by the following vote:

Yeas—26.

Alderdice.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Nays—1.

Bailey.

Absent.

Page.

Absent—Excused.

Buchanan of Bell. Gibson.

#### Simple Resolution No. 81.

(Return of H. H. No. 88.)

Resolved, That the House of Representatives be and the same is hereby requested to return to the Senate House Bill No. 88 for further consideration.

FAUST.

The resolution was read and adopted.

#### Senate Bill No. 256.

The Chair laid before the Senate on second reading:

S. B. No. 256, A bill to be entitled "An Act to prohibit Commissioners' Courts from issuing warrants, negotiable or non-negotiable, interest bearing or non-interest bearing, or from otherwise contracting debts against the court house and jail fund, or the road and bridge fund, of their respective counties, in excess of the estimated receipts in the year for which such warrants or evidences or indebtedness are issued, and declaring all contracts undertaking to create any indebtedness against any such fund in excess of the estimated receipts to accrue for that year to such fund to be illegal and void; making County Commissioners and County Judges violating this Act liable for the payment of any such indebtedness and for any amount illegally paid on such indebtedness, and declaring an emergency."

On motion of Senator Dean, the bill was laid on the table subject to call.

#### Senate Bill No. 230.

The Chair laid before the Senate on second reading:

S. B. No. 230, A bill to be entitled "An Act to amend Article 3850 of the Revised Civil Statutes of 1911, so as to bring about a definite construction as to the time for the payment of commissions authorized, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Faust the constitutional rule requiring bills to



be read on three several days was suspended and S. B. No. 230 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Clark.	Parr.
Hall.	Strickland.

Absent—Excused.

Buchanan of Bell. Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Faust, was passed finally.

#### Senate Bill No. 241.

The Chair laid before the Senate on second reading:

S. B. No. 241, A bill to be entitled "An Act to amend Article 4081 of the Revised Civil Statutes of the State of Texas, so as to provide for the appointment of a guardian of a person of unsound mind by jury trial, which will be granted if requested, as set out in Title 64, Chapter 16, Revised Civil Statutes of the State of Texas, providing for 'guardianship of persons of unsound mind and habitual drunkards,' and validating all appointments heretofore made without a jury trial, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator McNealus the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 241 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Bell.
Bailey.	Buchanan of Scurry.

Caldwell.	Hopkins.
Carlock.	Johnston.
Cousins.	McNealus.
Dean.	Page.
Dorough.	Smith.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Williford.
Hall.	Witt.
Hertzberg.	Woods.

Absent.

Clark.	Parr.
Dayton.	Strickland.

Absent—Excused.

Buchanan of Bell. Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

Yeas—24.

Alderdice.	Floyd.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.

Absent.

Clark.	Parr.
Hall.	Strickland.

Absent—Excused.

Buchanan of Bell. Gibson.

#### Senate Concurrent Resolution No. 26.

The Chair laid before the Senate on second reading:

S. C. R. No. 26, authorizing the Secretary of State to dispose of certain statutes and books in the basement of his department.

The resolution was read and adopted.

#### Senate Bill No. 213.

The Chair laid before the Senate on second reading:

S. B. No. 213, A bill to be entitled

"An Act amending Article 2448, Chapter 2, Title 44, Revised Civil Statutes of the State of Texas of 1911, with reference to county depositories, so as to correspond with Section 3 of an Act of the Thirty-fifth Legislature, approved February 12th, 1917, amending Articles 2440, 2441, 2442, 2443, 2444 and 2445, Chapter 2, Title 44, of the Revised Civil Statutes of the State of Texas of 1911, providing for county depositories, etc., and declaring an emergency."

Senator Bailey offered the following amendments, which were read and adopted:

(1) Amend Senate Bill No. 213 by adding in line 28, page 1, of the printed bill after the word "payment" the following:

"Provided that nothing in this Act shall in anywise affect the liability of any county depository upon its bond as such depository."

(2) Amend the caption of the bill by inserting in lieu thereof the following:

A bill to be entitled an Act amending Article 2448, Chapter 2, Title 44, Revised Civil Statutes of the State of Texas, 1911, providing that if any depository selected by the commissioners' court of any county be not located at the county seat of such county, said depository shall file with the county treasurer of said county a statement designating the place at said county seat where, and the person by whom all deposits may be received for such depository and where and by whom all legal checks and demands on said depository will be paid and further providing that such depository shall cause every check or other obligation to be paid upon presentation at the place so designated so long as the said depository has sufficient fund to the credit of said county applicable to such payment, and providing that nothing in said Act shall in anywise affect the liability of any county depository upon its bond as such depository; repealing all laws and parts of laws in conflict with this Act and declaring an emergency."

The bill was read second time and passed to engrossment.

On Motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 213 was put

on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

Clark.	Hall.
Dean.	Strickland.

Absent—Excused.

Buchanan of Bell. Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Bailey, was passed finally.

### Adjournment.

At 5:40 o'clock p. m., the Senate, on motion of Senator Woods, adjourned until 10 o'clock tomorrow morning.

### APPENDIX.

#### Engrossing Committee Report.

Committee Room,  
Austin, Texas, Feb. 26, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 220 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 27, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 344 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, Feb. 27, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 319 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 244 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

### Committee Reports.

Committee Room,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred Senate Bill No. 157, have had same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following committee amendments.

McNEALUS, Chairman.

(Floor Report)

Senate Chamber,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 152, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in sub-divisions in Harris county, and repealing all laws and parts of laws in conflict herewith and declaring an emergency,' "

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CLARK, Chairman; Bell, Parr, Buchanan of Scurry, Dudley.

Committee Room,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educa-

tional Affairs to whom was referred Senate Bill No. 340 have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed, but that it be printed in the Journal.

ALDERDICE, Chairman.

By Johnston.

S. B. No. 340.

### A BILL

### To Be Entitled

An Act to increase and fix the salary of the Superintendent of Public Instruction of Harris county, Texas, providing for office expenses; repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That the salary of the Superintendent of Public Instruction of Harris county, Texas, shall be from and after the passage of this Act, the sum of thirty-six hundred dollars per annum, and the same is fixed by this Act at that sum.

Section 2. In making the annual per capita apportionment to the schools, the County School Trustees of Harris county shall also make an annual allowance out of the State and county available school funds for the payment of the salary of the Superintendent of Public Instruction of Harris county, Texas, thirty-six hundred dollars, and office expenses in any sum not exceeding five hundred dollars per annum for stamps, stationery, expressage and printing incidental to and necessary in the administration of his office, and the same shall be prorated for the schools in said county in proportion to the scholastic population of each district and community in the county that is under the jurisdiction and supervision of said County Superintendent. And the commissioners' court of Harris county, Texas, may expend out of the general fund of said county any sum not exceeding the sum of eight hundred dollars per annum to defray the traveling expenses of said county superintendent.

Section 3. The salary and expenses for stamps, stationery expressage and printing provided for herein shall be paid monthly upon the order of the county school trustees; provided, that the salary for the month of September shall not be paid until the said Superintendent of Public In-

struction shall have presented a receipt or certificate from the State Superintendent of Public Instruction showing that he has made all reports required of him. That the traveling expenses provided for herein shall be paid monthly by the county treasurer on the order of the commissioners' court as said expenses may be incurred.

Section 4. All laws and parts of laws heretofore enacted which are in conflict herewith, are hereby repealed.

Section 5. The fact that the Superintendent of Public Instruction of Harris county, Texas, has under his administration 142 schools and 275 teachers, and that he is required to travel over a territory of 1761 square miles in the performance of his official duties, renders the present salary and expense allowance inadequate and out of proportion to the labor and responsibility attached to the office, and creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

Committee Room.

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred Senate Bill No. 323, have had the same under consideration, and I am directed to report it favorably with the recommendation that it do pass, with committee amendment.

ALDERDICE, Chairman.

(Committee Amendment.)

Amend Senate Bill No. 323 by striking out in subdivision "d" of Section 2 the words "two and one-half" and insert in lieu thereof the word "three."

(Floor Report.)

Senate Chamber.

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 468, A bill to be entitled "An Act to repeal Senate Bill No. 55,

Chapter 8, pages 305 and 606 of the General and Special Laws of the State of Texas, passed at the First Called Session of the Thirty-fifth Legislature of the State of Texas, and entitled 'An Act to create the Robstown Independent School District, known as Common School District No. 30, in Nueces County, Texas: to provide for the election of trustees, for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools, declaring valid a maintenance tax heretofore voted, and declaring an emergency,' passed at the First Called Session of the Thirty-second Legislature, 1911, and approved August 31st, 1911, by amending Section 3 thereof, so as to provide for the assessment and collection of taxes by the Assessor and Collector of Nueces County, and providing for fees for such assessment and collection, providing for the valuation of property in said district, prescribing duties of the County Attorney of Nueces County, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Alderdice, Chairman: Westbrook, Dean, McNealus, Floyd, Cousins, Dayton, Williford.

(Floor Report.)

Senate Chamber,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 488, A bill to be entitled "An Act to amend the special road law of Runnels County, Texas, and declaring an emergency,"

Has had said bill under consideration, and beg leave to report same favorably, with recommendation that it do pass, and that it be not printed.

Woods, Chairman; Clark, Caldwell, Page.

(Floor Report.)

Senate Chamber,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

H. B. No. 476, A bill to be entitled "An Act to amend Sections 2, 5, 8, 10, 16 and 17, of the Special Road Law for Baylor County, etc., and declaring an emergency,"

Has had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Caldwell, Page.

(Floor Report.)

Senate Chamber,  
Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 500, A bill to be entitled "An Act to amend Chapter 75 of the Special Laws of the 33rd Legislature, entitled 'An Act to create a more efficient road system for Hill County, Texas, etc.,' and declaring an emergency,"

Has had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Caldwell, Page.

(Floor Report.)

Senate Chamber,  
Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 519, a bill to be entitled "An Act to amend Sections 4 and 7, Chapter 95 of Local and Special Laws of the State of Texas, passed at the Regular Session of the 33rd Legislature of the State of Texas, relating to the issuance of Road Improvement Bonds by Navarro County or any political subdivision thereof, and declaring an emergency,"

Has had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Caldwell, Page.

Committee Room,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 345, A bill to be entitled "An Act to validate sales of Public Free Schol Land sold on September 25, 1895,"

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass.

CALDWELL, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 334, A bill to be entitled "An Act to regulate the purity of paint, varnish, filler, stain, linseed oil, turpentine and all other similar substances; and providing for the branding and labeling of the same; that the Dairy and Food Commissioner of this State shall make such rules and regulations as may be necessary for the enforcement of this Act, and for penalty for violation of same, and declaring an emergency."

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Senate Chamber,  
Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

H. B. No. 179, A bill to be entitled "An Act to amend Article 7393, Chapter 3, Title 126, of the Revised Civil Statute of Texas, 1911, prescribing the amount of franchise taxes to be paid by domestic corporations; providing that where a domestic corporation has a permit or permits to do business outside the State, the franchise tax shall be computed upon that proportion of the authorized capital stock, plus the surplus and undivided profits, if any, of such corporation, as the total gross receipts of such corporation from its business done in Texas, bears to the total gross re-

ceipts of the corporation from all sources, and declaring an emergency."

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room.

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

H. B. No. 180, A bill to be entitled "An Act to amend Chapter One Hundred and Fifty-three (153) of the Acts of the Regular Session of the Thirty-third Legislature, so as to provide that all corporations that are required by law to pay an annual franchise tax to make a report to the Secretary of State between the first day of January and the fifteenth day of March, and prescribing what such report shall contain; providing the date such report shall be made by certain foreign corporations; prescribing penalty for failure to make such report; providing that such report shall be subject to inspection only by persons who are interested directly in the subject matter of such report, and declaring an emergency."

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room.

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

H. B. No. 178, A bill to be entitled "An Act to amend Chapter Eighty-four (84) of the Acts of the Regular Session of the Thirty-fifth Legislature entitled 'An Act to amend Article 7394 of the Revised Civil Statutes of Texas, 1911,' so as to provide that the franchise tax on foreign corporations, therein levied shall be based upon that portion of the total authorized capital stock, plus the surplus and undivided profits, if any, of such corporation, as the gross receipts of such corporation from its Texas business bears to its total gross receipts, and providing a minimum franchise tax to be paid by foreign

corporations, and declaring an emergency."

Have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room.

Austin, Texas, Feb. 27, 1918.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred House Bill No. 294, have had the bill under consideration, and I am instructed to report the bill favorably with recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 328, A bill to be entitled "An Act to amend Section 25, Chapter 12, General Laws of the First Called Session of the Thirty-fifth Legislature, approved May 17, 1919, so as to provide that the Commissioners' Court of a county not having a resident licensed veterinarian, may appoint and designate a person resident of said county to administer hog cholera virus without first securing a permit for the use of same from the Live Stock Sanitary Commission of Texas, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

Clark, Chairman; Bell, Dorrough, Dudley, Parr, Buchanan of Scurry, Bailey.

By Dean.

S. B. No. 328.

A BILL

To be Entitled

An Act to amend Section 25, Chapter 12, General Laws, First Called Session of the Thirty-fifth Legislature, approved May 17, 1917, so as to provide that the Commissioners' Court of a county not having a resident licensed veterinarian, may appoint and designate a per-

son resident of said county to administer hog cholera virus without first securing a permit for the use of same from the Live Stock Sanitary Commission of Texas, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Section 25 of Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature of Texas, approved May 17, 1917, be amended so as to hereafter read as follows:

'Section 25. Any person within this State desiring to use or administer any hog cholera virus for the immunization of hogs from hog cholera shall first secure a permit for the use of same from the Live Stock Sanitary Commission of Texas, and shall make report to the Live Stock Sanitary Commission of every instance where-in the virus is used, as the Commission shall direct: provided that in counties having no resident licensed veterinarian the Commissioners' Court may appoint some resident of said county to use and administer such hog cholera virus, which appointment shall be spread upon the minutes of said Commissioners' Court; and the person so appointed shall have the right to use or administer hog cholera virus as hereinbefore provided, without securing a permit for the use thereof from the Live Stock Sanitary Commission of Texas.

Any person who shall use or administer any hog cholera virus on or to any domestic animal within this State without first securing a permit from the Live Stock Sanitary Commission permitting him to use or administer such virus, except as in this section otherwise provided, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than fifty (\$50) dollars, nor more than two hundred dollars; and if any person using or administering such virus shall fail to make report of such use within ten (10) days after such use to the Live Stock Sanitary Commission, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars.

Section 2. The fact that the condition of the calendar of the Senate

and House is crowded, and that the session is fast drawing to a close, and the importance of this legislation, creates an emergency and an imperative public necessity, requiring the suspension of the constitutional rule providing that bills shall be read on three several days, and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### Enrolling Committee Reports.

Committee Room,  
Austin, Texas, Feb. 27, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Concurrent Resolution No. 27, copy of which is hereto attached, and find it correctly enrolled, and have this day at 10:45 o'clock a. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Page, McNealus. S. C. R. No. 27.

Be it resolved by the Senate of Texas, the House of Representatives concurring,

Whereas, the United States Department of Labor has, under authority of Congress, during the war successfully operated the United States Employment Service for the purpose of bringing together employers and employees and achieved extraordinary success in this State, to the great satisfaction of all parties, and been a monument of government efficiency, therefore,

Be it resolved, that we, the Legislature of Texas, endorse the United States Employment Service and urge its extension and continuance, more especially during the time that a great number of men are being released from the army for civil life and who should be entitled to the free service of the Government in securing positions, and not being made victims of profiteering private agencies; and the President of this Senate is instructed to wire the Appropriations Committee of the United States Congress a request on the part of this Senate that said service be continued in operation during the demobilization of the United States Army, and until the men now in the army have had every opportunity to

secure employment in civil life; and,

Be it further resolved, that a copy of this resolution be mailed by the Secretary of the Senate to each Representative and United States Senator from the State of Texas.

Committee Room,  
Austin, Texas, Feb. 27, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 32, copy of which is hereto attached, and find it correctly enrolled, and have this day at 3:15 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Dean. S. B. No. 32.

A BILL  
To be entitled.

An Act increasing the salaries of the Judges of the Supreme Court, of the Commission of Appeals, and of the Court of Criminal Appeals, and Judges of the Courts of Civil Appeals and District Courts of this State, and declaring an emergency.  
Be it enacted by the Legislature of the State of Texas:

Section 1. That, from and after the passage of this Act, Judges of the Supreme Court, Judges of the Commission of Appeals, and the Judges of the Court of Criminal Appeals of this State shall each be paid an annual salary of Sixty-Five Hundred Dollars, payable in equal monthly installments; that the Judges of the several Courts of Civil Appeals of this State shall each be paid an annual salary of Five Thousand Dollars, payable in equal monthly installments; and that the Judges of the District Courts of this State shall each be paid an annual salary of Four Thousand Dollars, payable in equal monthly installments.

Sec. 2. All laws and parts of laws in conflict herewith shall be and the same are hereby repealed.

Sec. 3. The fact that the Judges of the several courts of this State are inadequately paid, creates an emergency and an imperative public necessity requiring the constitutional rule which requires that bills be read on three several days be suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, Feb. 27, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 99, and find it correctly enrolled, and have this day at 4:45 o'clock p. m., presented the same to the Governor for his approval.

SMITH, Chairman.

By Carlock. S. B. No. 99.

A BILL

To be Entitled

An Act to amend Article 317, Title 12, of Revised Civil Statutes of Texas, 1911, and repealing Articles 309, 310, 311, 312, 313, 314, 315, 316, 318, 319, 320 and 321, of Title 12, of the Revised Civil Statutes of the State of Texas, and making provisions regulating the licensing of attorneys at law in the State of Texas, prescribing their qualifications, and declaring an emergency.

Be it Enacted by the Legislature of the State of Texas:

Article 317, Title 12, of the Revised Civil Statutes of Texas, shall be amended so as to hereafter read as follows:

Section 1. From and after the taking effect of this law, there shall be one Board of Examiners for the State of Texas. This Board shall consist of five lawyers, having the qualifications required of members of the Supreme Court of the State. They shall be appointed by the Supreme Court and shall each hold office for a period of two years, and until his successor shall be appointed and shall qualify. They shall be required to take the constitutional oath of office.

Section 2. It shall be the duty of this Board, acting under the instructions of the Supreme Court, as hereinafter provided, to pass upon the eligibility of all candidates for examination for license to practice law within this State, and to examine thoroughly such of these as may show themselves eligible therefor, as to qualifications to practice law. This Board shall not recommend any person for license to practice law unless such person shall affirmatively show to the Board, in the manner to be prescribed by the Supreme Court, that he is of such moral char-



acter and of such capacity and attainment that it would be of advantage to the public, and particularly to any community in which he may follow his profession, for him to be licensed.

Section 3. The Supreme Court is hereby authorized and empowered to make any and all rules and regulations which, in its judgment, may be proper and expedient to govern eligibility of such examination, and the manner of conducting the same, covering, among other points, proper and effective guarantee to insure:

(a) Good moral character on the part of each candidate for license.

(b) Adequate pre-legal study and attainment.

(c) Adequate study of law for a period of at least two years, covering the course of study prescribed by the Supreme Court, or the equivalent of such course, before coming to the examination.

(d) The legal topics to be covered by such study and by the examination given.

(e) The time and place for holding the examinations, the manner of conducting same and the grades to be made by the candidates to entitle them to be licensed, provided that whenever as many as five applicants shall request the Board to conduct an examination in any particular town or city convenient to their place of residence, the examination of such applicants shall be conducted at such town or city at some suitable time, to be determined by the Board.

(f) Any other such matters as shall be desirable in order to make the issuance of a license to practice law evidence of good character and fair capacity and real attainment and proficiency in the knowledge of law.

Section 4. The fee for such examination shall be fixed by the Supreme Court, not to exceed twenty (\$20.00) dollars for each candidate, which shall be paid to the Clerk of the Supreme Court at the time the application for examination is made. The money thus obtained shall be used:

First: To pay all legitimate expenses incurred in holding the examination; and

Second: As compensation to the members of the Board under such regulations as shall be agreed upon by the Board or determined by the Supreme Court.

Section 5. The several Examiners shall be subject to removal by the Supreme Court for incompetency, indifference or inattention to duty.

Section 6. It is hereby declared to be the duty of the Supreme Court, by general order to that effect, to exempt graduates of such law schools as may be approved by the Supreme Court from taking any examination as to pre-legal or legal studies and attainments, but such graduates must, in all instances, furnish evidence as to moral character required of candidates; provided that every law school in this State shall be approved for this purpose which maintains the following standards:

(a) Admission requirements of law equivalent to successful completion of the four years' high school course.

(b) A law curriculum extending over at least three scholastic years, with not less than ten hours' classroom work in law a week for each of the three classes, respectively.

(c) Standards for credit based upon written examination satisfactory to the Supreme Court.

(d) A law library of not fewer than twenty-five (2500) hundred well selected law books.

Section 7. The Supreme Court shall make such rules and regulations as to admitting attorneys from other jurisdictions to practice law in this State as it shall deem proper and just. All such attorneys must be required to furnish satisfactory proof as to good moral character.

Section 8. The fee for issuing such license shall be one (\$1.00) dollar, to be paid to the Clerk of the Supreme Court at the time the license is issued. Money thus received by the Clerk shall be deemed fees of office and must be applied as provided by law as to such fees.

Section 9. No license to practice law in this State shall be issued by any court or authority except by the Supreme Court of the State, under the provisions of this Act.

Section 10. Articles 309, 310, 311, 312, 313, 314, 315, 316, 318, 319, 320 and 321, of the Revised Civil Statutes of Texas of 1911, and all other laws and parts of laws in conflict with this Act, are hereby repealed.

Section 11. The importance of the

subject matter of this Act, the crowded condition of the calendar and the near approach of the close of the session create an emergency and an imperative public necessity, demanding that the constitutional rule requiring bills to be read on three separate days be, and the same is hereby, suspended and that this Act shall be in force and effect from and after its passage, and it is so enacted.

### THIRTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas, Feb. 28, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Buchanan of Bell.	Hall.
Clark.	Strickland.
Gibson.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

### Excused.

Senator Hall was excused for today and until Tuesday on account of important business, on motion of Senator Bailey.

Senator Clark for today and until Monday on motion of Senator McNealus.

Senator Strickland was excused for

today on motion of Senator Dorough.

### Petitions and Memorials.

See Appendix.

### Standing Committee Reports.

See Appendix.

### Bills and Resolutions.

By Senator Cousins:

S. B. No. 353, A bill to be entitled "An Act to establish and create a Court to be known as 'Corporation Court in Port Arthur, Texas,' and to prescribe its organization, jurisdiction and procedure, and to conform the jurisdiction and procedure of other courts thereto, to repeal all laws in conflict herewith, and to declare an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Caldwell:

S. B. No. 354, A bill to be entitled "An Act, making an appropriation to supplement the appropriation made at the First Called Session of the Thirty-fifth Legislature for the Confederate Woman's Home, for the fiscal year ending August 31, 1919, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators Dean, Dorough, Strickland and Floyd:

S. B. No. 355, A bill to be entitled "An Act declaring that any person firm or corporation or association of persons in this State who may engage in, pursue, carry on, or maintain any of the following described occupations or callings, under the circumstances and conditions herein described, are declared to be creators and promoters of a public nuisance, may be enjoined at the suit of either the Attorney General, the County or District Attorney in behalf of the State, being any person, firm, corporation, or association of persons who is the proprietor of any place of public amusement or the agent or employee of such person,